

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

PATRICIA C. COLVIN,)
)
Plaintiff,)
)
v.) **CIVIL NO 1:04CV213**
)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
)
Defendant.)

O R D E R

THIS MATTER is before the Court on Plaintiff's motion for attorney's fees and costs, filed November 28, 2005. By Response filed December 6, 2005, Defendant advises that the Commissioner and Plaintiff's counsel have agreed to settle this claim for an award of \$2,110.00 in attorney's fees and \$150.00 in costs, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. § 2412(d).

NOW THEREFORE, IT IS ORDERED:

1. Plaintiff's motion for attorney's fees and costs is **GRANTED**, and Plaintiff's counsel shall be paid the total sum of **TWO THOUSAND, TWO HUNDRED SIXTY DOLLARS AND NO CENTS (\$2,260.00)**.

2. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.
3. The Clerk is directed to serve copies of this order to counsel for the parties.

Signed: December 6, 2005



Lacy H. Thornburg
United States District Judge

